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7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA

9
 10 CLARENCE JONATHON WOOD and HEIDI
 COLLINGWOOD,

CASE NO. CV 08 3335 SBA

11 Plaintiffs,

**AFFIDAVIT OF JAMES HARDINA IN
 SUPPORT OF DEFENDANT SCOTTSDALE
 INDEMNITY COMPANY'S MOTION TO
 DISMISS COMPLAINT**

12 v.
 13 SCOTTSDALE INDEMNITY CO.; and
 DOES 1 to 100, inclusive,
 15 Defendants.

Date : September 23, 2008
 Time : 1:00 p.m.
 Ctrm. : No. 3, 3rd Floor
 Judge : Hon. Saundra Brown
 Armstrong

17
 18
 19 I, James Hardina, declare as follows:

20
 21 1. I am over the age of 18 years, have personal knowledge
 22 of all facts set forth in this declaration, and if called as a
 23 witness, could and would testify competently thereto.

24
 25 2. I am a claims representative for Defendant Scottsdale
 26 Indemnity Company ("Scottsdale"). During the relevant time
 period, I was the representative at Scottsdale primarily
 27 responsible for handling plaintiffs' claim against Kimberly Holz

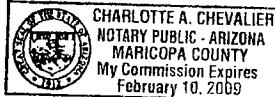
Lindstrom.

3. The facts set forth herein are known to me personally, and if called upon to testify, I could and would competently testify thereto.

4. A true and correct copy of Scottsdale policy number PUI0020229, issued to Ralph L. and Pamela W. Lindstrom for the May 31, 2001 to May 31, 2002 policy period, is attached to Scottsdale's Index of Exhibits as Exhibit "H".

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 23rd day of July, 2008, in Scottsdale, Arizona.



James Hardina
James Hardina

Notary Charlotte QC

Commission Expires: Feb 10, 2009

PROOF OF SERVICE

Clarence Jonathon Wood and Heidi Collingwood v. Scottsdale Indemnity Company
United States District Court Northern District of California Case No. CV 08 3335 SBA

I am employed in the County of San Francisco, State of California. I am over the age of 18 years and am not a party to the within action; my business address is 33 New Montgomery, Sixth Floor, San Francisco, CA 94105. On **July 29, 2008**, I served the following document(s) described as **AFFIDAVIT OF JAMES HARDINA IN SUPPORT OF DEFENDANT SCOTTSDALE INDEMNITY COMPANY'S MOTION TO DISMISS COMPLAINT** on the interested parties in this action as follows:

by placing a true copy thereof enclosed in sealed envelopes addressed as follows:

David P. Dibble, Esq.
Law Offices of David P. Dibble
123 F Street, Suite D
Eureka, CA 95501
(707) 444-9330

Attorneys For Plaintiff CLARENCE
JONATHON WOOD

Zachary E. Zwerdling, Esq.
Law Office Of Zachary E. Zwerdling
123 F Street, Suite C
Eureka, CA 95501
(707) 445-9628

**Attorneys For Plaintiff HEIDI
COLLINGWOOD**

BY MAIL: By placing a true copy thereof in a sealed envelope addressed as above, and placing it for collection and mailing following ordinary business practices. I am readily familiar with the firm's practice of collection and processing correspondence, pleadings, and other matters for mailing with the United States Postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

BY OVERNIGHT COURIER: I caused the above-referenced document(s) to be delivered to FEDERAL EXPRESS for delivery to the addressee(s).

BY E-MAIL: I transmitted a copy of the foregoing documents(s) via e-mail to the addressee(s).

BY FAX: I transmitted a copy of the foregoing documents(s) via telecopier to the facsimile numbers of the addressee(s), and the transmission was reported as complete and without error.

BY PERSONAL SERVICE: I personally delivered such envelope by hand to the offices of the addressee(s).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on July 29, 2008, at San Francisco, California.


Laura Talesnik
LAURA TALESNIK